

**TESTIMONY OF IAN E. KOSKI
TO THE HOUSE COMMITTEE ON GOVERNMENT REFORM
APRIL 7, 2006**

Mr. Chairman, Congressman Waxman, Congressman Moran, distinguished members of the committee:

My name is Ian Koski, and I am the editor of NationalsPride.com, a web site completely devoted to all things Washington Nationals, gathering the latest news about the team and offering fans a variety of original opinions, special features, and fun.

A friend, Michael Kanick, and I launched NationalsPride.com just before Opening Day last season because we were lifelong baseball fans, Nationals season ticket holders, and web-oriented individuals. After a few months, during which the Nationals surpassed all expectations and played well enough to sit atop the National League's East division, it became clear that the cable companies of the Washington area were not going to begin carrying the Mid-Atlantic Sports Network in time for us to see the great baseball being played.

After receiving several e-mails from fans, including one from a Capitol Hill staff member who had looked around but couldn't find an online petition, we decided to get involved. We both held master's degrees in political management and both had ample experience in political communication, so we put them to use and formulate a grassroots strategy comprised of an online petition, e-mail messages to the Washington-area Congressional delegation, and e-mail messages to the top executives at Comcast, Cox, and Adelphia.

The NationalsPride.com petition went live on July 12, 2005 and by the time the season ended, it had garnered an unimpressive total of 200 signatures. Truth be told, we had expected a significantly higher response, albeit little time and money was expended in trying to get the word out. Starting with a very small e-mail list of personal contacts, we hoped message-forwarding would result in a successful viral campaign.

Unfortunately the launch of our grassroots campaign coincided with a precipitous decline in the Nationals' on-the-field performance, a predictable evaporation of fan interest in the season, and a clear decline in actual attendance. (Regarding the latter, comparing

“announced attendance” figures is unreliable as professional teams generally use the number of tickets sold rather than actual bodies in the stadium.) The number of daily visitors to NationalsPride.com steadily declined, and momentum on the MASN issue disappeared.

In talking with other fans, it also became clear to us that with every week of the 2005 season that passed, the less likely it became that a solution to the MASN question would not be found before the season’s end. We also heard sentiment that fans expected a deal to be reached during the off-season.

In just the last four weeks, over 300 more Nationals fans have signed the petition, bringing our current total to over 500 – a number that will surely grow as word of the petition’s existence spreads and as this debacle drags on. The actual language of the petition, which takes no side in the dispute between Comcast and Orioles owners Peter Angelos, accompanies this testimony.

Nationals fans have been caught in the middle of a feud not of their making, and we’re angry about it. In fact, Washington has had no role in the matter from day one — but decisions made in New York and Philadelphia have had a monstrous impact on our area.

The deal Major League Baseball made with Mr. Angelos was terrible for Washington, though if I were Mr. Angelos, I would probably have fought a D.C. franchise, too. For years Baltimore had a great deal — one urban market (23rd largest in the country) for whom being a fan was natural and convenient, and a second urban market (8th largest in the country) that had no other choice in the matter and had to support its team.

So it made sense that Mr. Angelos would feel he deserved to be compensated for the financial loss he would likely experience when the Nationals set up in Washington, but Major League Baseball went too far and gave away something that, in the big picture, wasn’t really theirs to give. Legally, of course, as owners of the Montreal Expos/Washington Nationals franchise, MLB and the 29 other team owners had the right to do anything they wanted with the team — even sell something that didn’t yet exist, broadcast rights. But in reality, MLB gave away something critically important to the Washington region and made it nearly impossible for us to get back.

What that deal effectively did was to turn over one of the most important revenue-generating pieces of a vulnerable new team to its biggest commercial enemy — its geographic rival, which had spent the last 20 years fighting the new team’s existence. Even to someone outside the sports world, that just sounds like a terrible idea.

MLB did require, though, that Mr. Angelos sell 10 percent of the rights back to MLB to be passed on to the Nationals' new owners. So not only was Mr. Angelos given 90% of the Nationals' rights, it paid him \$75 million for the other 10 percent! The as-yet-unnamed Nationals owners will be able to increase their ownership of MASN to 33 percent over the next 30 years. In other words, the owner of the Washington Nationals will never control the team's broadcast rights. No other team in baseball has such an outrageous television arrangement.

This deal was very bad for Washington.

Unfortunately, there's no reason to even consider the notion that Major League Baseball might restructure its deal with Mr. Angelos, and there is even less cause to think Mr. Angelos would agree to it!

Major League Baseball has to recognize the terrible position it has put us in. Our hands are tied behind our back, we're getting hit over and over again, and Baseball won't step in and stop the fight. Why won't Baseball intervene on Washington's behalf to get Comcast to carry the games? Why won't Baseball try to alleviate the situation it created?

It is my sincere hope that one of the first things done by the new ownership group is to attempt to negotiate with Mr. Angelos for a larger, more immediate ownership share of the Mid-Atlantic Sports Network. The leadership at Major League Baseball has clearly demonstrated it will not represent our interests in the league and cannot be trusted to do the right thing for Washington.

This is clearly evident in Baseball's refusal to name a new ownership group, despite promises to do so as far back as last July. When interviewed at the All-Star Game last July, Commissioner Bud Selig acknowledged that target was not going to be met, but told the *Washington Post*, "Sometime in August, I am hopeful. (7/13/05)" Later in the summer and through the fall and winter, the understanding became that MLB would not name an owner until the lease on the new fully taxpayer-funded stadium was signed. A month since even that milestone was achieved, we still have no owner.

If the Nationals had an ownership group, Congressional involvement on this matter would probably not be necessary. With an owner, Nationals fans would have a strong voice arguing for the best interests of our team. We'd have someone who could negotiate with Mr. Angelos, intervene with Comcast, and hold press conferences to turn the pressure up.

So it's been up to us, as fans and as Comcast subscribers to do it on our own. My current Comcast bills total \$167 a month, give or take a few cents. For it I get the cable internet, a

digital video recorder cable box and the Digital Silver television package, which includes about 200 channels of content. It's absurd that my money doesn't earn me the right to watch every Nationals game on my cable provider.

On a one-to-ten scale of sports fan enthusiasm (one being rarely or never watches sports, ten being a statistic-obsessive, ESPN always-on fan), I'd rate myself at about a seven. I enjoy going to games, I enjoy reading sports features, and obviously I enjoy writing about baseball. But as my professional career has grown, the attention I've paid to sports beyond my favorite teams has diminished since college. Pretty much the only times I turn on ESPN or ComcastSportsNet are when they're showing a game I want to watch, though I'll occasionally turn on ESPN's SportsCenter for background — a far cry from the days when I'd watch SportsCenter repeats three or four times a day during summer breaks in high school.

I have no way to know whether my viewing patterns are the norm for sports fans my age, but I know I'm not alone. I believe the true value of networks like ComcastSportsNet, which are dubbed "regional sports networks" for their local target area, are the games they show — not the news and features that fill out the day. Comcast agrees with me, which is why they are fighting tooth-and-nail against losing the Orioles.

As the rights-holder to both the Washington Capitals of the National Hockey League, and the Washington Wizards of the National Basketball Association, ComcastSportsNet will survive without the Baltimore Orioles. There is more than enough room for two regional sports networks in the Washington/Baltimore market. There are more than enough sports fans in the area to support both.

Growing up in New York and going to school in Philadelphia, I've never been around the birth of a new sports franchise before. But it isn't hard to understand how important being able to see the team's games would be to ensuring the franchise fully develops and builds a strong fan base (which is actually code for "deep revenue stream"). Not everyone can afford to go to every game at RFK Stadium. Most people don't have the time to go to a bar every night because it has DirecTV.

Neal Owens, a NationalsPride.com reader and Comcast subscriber from Kensington, Maryland, e-mailed this comment to me earlier this week:

"The Senators moved from DC the year I was born, and it was always an ongoing joke in our house that it was because of me they moved. Well, last year, I had the opportunity to take MY DAD to several Nationals games and it was one of the best summers of my life.

This summer, my Dad can barely make it up his own steps at home, let alone go to a ballgame. With a new baby and another one coming, I cannot afford to keep spending the kind of money to go to the games and get the kind of seats that my Dad could walk to. We also cannot afford the price of Direct TV, why can't I just turn on the TV and watch a game. Please fix this."

The Nationals have fostered a renewed sense of community here in Washington, one of the most transient towns in the country. Most days I can't leave my apartment without seeing someone in a Nationals shirt or a red "W" cap walking around a store or waiting for a Metro. Washington has rallied around the national pastime in spectacular fashion, and yet we're still being nickel-and-dimed by the powers that be.

Fans naturally expect to be able to watch their home team's games. So many of us want to relax on our couches after a long day's work, open up a frosty beverage and enjoy a baseball game, and yet 1.3 million Comcast subscribers have a 75 percent chance of being unable to find the game on television.

Of course, if you're a fan of the Orioles, the Cubs, or the Braves, you'll probably find your game on ComcastSportsNet, WGN, or TBS, which are all shown by Comcast here in Washington. If you're a Yankees fan, you'll be able to see 31 of their games here thanks to their 17 national broadcasts on ESPN and FOX, as well as the 14 times they play the Orioles this season on ComcastSportsNet.

The fact is we deserve better, and it should not take a hearing in the United States Congress to get it. We've literally had to make a federal case of it because Comcast is angry that Mr. Angelos has chosen to retain the broadcast rights to his own team. It should never have come to this.

On behalf of all Nationals fans, I urge Comcast to end its hopeless legal challenges and begin offering the Mid-Atlantic Sports Network to its cable subscribers. Congress should stay involved and keep the pressure on Comcast until a solution is reached. This feud has gone on long enough and has hurt the wrong people.